

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of: )  
)  
U.S. Patent No.: 5,830,887 )  
) Group Art Unit: Not yet assigned  
Inventor: Graham Edmund KELLY )  
) Examiner: Not yet assigned  
Issued: November 3, 1998 )  
)  
Serial No.: Not yet assigned )  
)  
Filed: June 22, 2000 )  
)  
For: HEALTH SUPPLEMENTS CONTAINING )  
PHYTO-OESTROGENS, ANALOGUES )  
OR METABOLITES THEREOF )

**BOX REISSUE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), the Patent Owner brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed upon the submission of the application for reissue of the '887 patent.

The documents cited in this Information Disclosure Statement were largely obtained from opposition proceedings on patents related to the '887 patent in Australia and New Zealand.

Copies of the listed documents are attached.

In addition to the documents cited on the PTO 1449, we have enclosed the following documents for consideration by the Examiner:

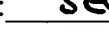
1. Statutory Declaration of Joseph Nicolas Van Haaster. Please note that this document contains a concise explanation of the relevance of the only non-English language document cited (Walz).

2. Statutory Declaration of Norbert Krause.
3. Statutory Declaration of Hubert Regtop.
4. Statutory Declaration of Kerry Martin Bone.
5. Statutory Declaration of Nancy Beckham.
6. Statutory Declaration of Michael Wootton
7. Statutory Declaration of Ian Richard Neering
8. Statutory Declaration of G. Clements.
9. Statutory Declarations of Fiona Bathgate.
10. Statutory Declaration of Julie Hill.
11. Statutory Declaration of Ngaire Pettit-Young.
12. Statutory Declaration of Jennifer Carpinelli.
13. Statutory Declaration of Ian Thomas Ernst.
14. Supplemental Statutory Declaration of Kerry Martin Bone, and attached papers.
15. Supplemental Statutory Declaration of Nancy Beckham.

These declarations were filed in the opposition proceedings noted above.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and the Patent Owner determines that the cited documents do not

The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of the assignee.

By:   
Name: RONALD LEA ERRATT  
Title: SECRETARY  
Date: 15. MAY 2000

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constitute "prior art" under United States law, the Patent Owner reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

The Patent Owner further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Jean Burke Fordis  
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Date: June 22, 2000

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